

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## APPARATUS AND METHOD OF PREDICTING FILE DOWNLOAD TIME BASED ON HISTORICAL DATA

the specification of which (check one)

  X   is attached hereto.  
       was filed on \_\_\_\_\_  
as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign applications(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent inventor's or plant breeder's rights certificate(s) or any PCT international application having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s):**

**Priority Claimed**

(Number)	(Country)	(MM/DD/YYYY)	_____ Yes    _____ No

**Certified Copy Attached?**

       Yes           No

EOT " 0004660

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John W. Henderson, Jr., Reg. No. 26,907; James H. Barksdale, Jr., Reg. No. 24,091; Thomas E. Tyson, Reg. No. 28,543; Robert M. Carwell, Reg. No. 28,499; Jeffrey S. LaBaw, Reg. No. 31,633; Douglas H. Lefevre, Reg. No. 26,193; Casimer K. Salys, Reg. No. 28,900; David A. Mims, Jr., Reg. No. 32,708; Mark E. McBurney, Reg. No. 33,114; Anthony V. England, Reg. No. 35,129; Volel Emile, Reg. No. 39,969; Leslie A. Van Leeuwen, Reg. No. 42,196; Christopher A. Hughes, Reg. No. 26,914; Stanley B. Green, Reg., No. 24,351; John E. Hoel, Reg. No. 26,279; Joseph C. Redmond, Jr., Reg. No. 18,753; and Marilyn S. Dawkins, Reg. No. 31,140, Cynthia S. Byrd, Reg. No. 39,365 and.

**Send correspondence to:** **Mr. Volel Emile**  
**P.O. Box 202170**  
**Austin, TX 78720-2170**

**and direct all telephone calls to:** **Mr. Volel Emile at (512) 336 1586**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR: Susann Marie Keohane

INVENTOR SIGNATURE: *Susann Keohane* DATE: OCT 8 2001

RESIDENCE: 1911 Brackenridge Street  
Austin, TX 78704  
Travis county

CITIZENSHIP: United States

POST OFFICE ADDRESS: Same as above

FULL NAME OF SECOND INVENTOR: Gerald Francis McBrearty

INVENTOR SIGNATURE: *Gerald Francis McBrearty* DATE: OCT 10 2001

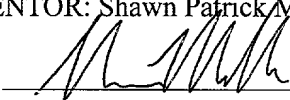
RESIDENCE: 10709 Bayridge Cove  
Round Rock, TX 78759  
Travis County

CITIZENSHIP: United States

POST OFFICE ADDRESS: Same as above

FOR FOT " 33644660

FULL NAME OF THIRD INVENTOR: Shawn Patrick Mullen

INVENTOR SIGNATURE: 

DATE: 10/9/2001

RESIDENCE: 39 Country Oaks  
Buda, TX 78610  
Hays County

CITIZENSHIP: United States

POST OFFICE ADDRESS: Same as above

FULL NAME OF FOURTH INVENTOR: Johnny Meng-Han Shieh

INVENTOR SIGNATURE: 


DATE: 10/8/2001

RESIDENCE: 5908 Upvalley Run  
Austin, TX 78731  
Travis County

CITIZENSHIP: United States

POST OFFICE ADDRESS: Same as above

FULL NAME OF FIFTH INVENTOR: James Stanley Tesaro

INVENTOR SIGNATURE: 

DATE: 10/9/2001

RESIDENCE: 12207 Klondike Rush Pt.  
Austin, TX 78726  
Travis County

CITIZENSHIP: United States

POST OFFICE ADDRESS: Same as above